

REMARKS

Objection to claim 17 for being too broad and ambiguous, and for not fitting in the context of the independent claim

The Examiner objected to claim 17 for being too broad and ambiguous, and for not fitting in the context of the independent claim. Applicants traverse the Examiner's objection to claim 17. The claim is broad, but there is no rule against claims that are broad, unless they are broad enough to encompass the prior art. The applicants are entitled to a broad claim where the claim is not taught or suggested by the prior art. Since the broad objection is not based on the art, the objection is unfounded in law and applicants respectfully request reconsideration of this objection.

Further, claim 17 is not ambiguous. The limitation for "the step of selling the computer system to the customer" is in no way ambiguous. The terms are clear and simple, and the relationship of the terms are also clear and simple. Applicants can not determine any part of the claim that is ambiguous and the Examiner has not specifically stated where or how the claim is ambiguous.

The limitation of claim 17 fits in the context of the independent claim. The claim is for a method of doing business between the acting entity (such as a vendor) and a customer. An ordinary part of a business relationship with a customer is a sale of a product. In step (A) of claim 17, there is an offer to a customer. A sale to a customer is a similar type of action as an offer. Thus it is within the context of the independent claim to sell the computer to the customer. Further, the relationship of a seller and buyer of the equipment is closely related to the novel features of the claimed invention. In independent claim 15, access to execution data by the customer is provided only if the customer enables transmission of the execution data. The customer relationship and the reasons why it is desirable to link the access to the data by the customer and a vendor is

described on page 5 of the specification. The added limitation of selling the computer to the customer is related to the independent claim and adds an additional limitation. Reconsideration is respectfully requested.

Rejection of claims 1-29 under 35 U.S.C. §103(a) as being unpatentable over Mikami (5,704,031) in view of Farhat (6,510,463)

The Examiner rejected claims 1-29 as being unpatentable over Mikami in view of Farhat. Applicants traverse the Examiner's characterization of the cited art and the finding of obviousness. The cited art individually or in combination does not teach or suggest the claimed invention as amended herein. Applicants believe the claims are now in condition for allowance and respectfully requests reconsideration.

Claims 1 and 6

For the limitation "the execution data access mechanism allowing access to the execution data by the user of the computer system only if the execution data transmission mechanism is enabled," the Examiner cited Farhat col. 2, lines 41-54. Applicants have not found anything in the cited section, or in Farhat in general to support this characterization of Farhat by the Examiner. Farhat simply does not teach this limitation. So even if Farhat is combined with Mikami, the combination does not teach or suggest the invention in claim 1. Farhat does not teach or suggest allowing access to the execution data by the user only if the execution data transmission mechanism is enabled. There is no discussion of any limitations on the access to the execution data whatsoever. The cited section of Farhat merely teaches that a vendor can communicate by means of requests and/or responses. But it does not say anything about the specific kinds of communication in claims 1 and 6. Applicants believe the Examiner's stated basis for rejection is without support in Farhat, the cited reference is mis-characterized. The Examiner has simply failed to establish a prima facie case of obviousness under 35

U.S.C. §103(a) for claims 1 and 6. Applicants respectfully request reconsideration of this rejection.

Claims 2-5 and 7-10

Each of claims 2-5 and 7-10 depend on claims 1 and 6 respectively, which are allowable for the reasons given above. As a result, claims 2-5 and 7-10 are also allowable as depending on an allowable independent claim. Applicants respectfully request reconsideration of the Examiner's rejection of claims 2-5 and 7-10 under 35 U.S.C. §103(a).

Claims 11 and 13

Each of independent claims 11 and 13 have a similar limitation as described above with reference to claim 1, which is allowable for the reasons given above. In these claims, the focus is on the user's computer (second computer) having access to execution data if transmission of the execution data is enabled. The Examiner has relied on the same references for the rejection of these claims as above. The Examiner's rejection for these claims suffers from the same deficiencies as described above and incorporated here. As a result, claims 11 and 13 are also allowable for the same reasons stated above. Applicants respectfully request reconsideration of the Examiner's rejection of claims 11 and 13 under 35 U.S.C. §103(a).

Claims 12 and 14

Each of independent claims 12 and 14 have a similar limitation as described above with reference to claim 1, which is allowable for the reasons given above. In these claims, the focus is on the first computer collecting execution data if transmission of the execution data is enabled, and if also if transmission is enabled allowing access to the

execution data by the user of the second computer. The Examiner has relied on the same references for the rejection of these claims as above. The Examiner's rejection for these claims suffers from the same deficiencies as described above and incorporated here. As a result, claims 12 and 14 are also allowable for the same reasons stated above. Applicants respectfully request reconsideration of the Examiner's rejection of claims 12 and 14 under 35 U.S.C. §103(a).

Claim 15

Independent claim 15 has a similar limitation as described above with reference to claim 1, which is allowable for the reasons given above. This claim is directed to a method of doing business with a computer having a system where customer access to the execution data is disabled if the customer rejects the offer to have access to the data in exchange for the customer sharing the execution data. This feature is not taught or suggested in the cited art. The Examiner did not even attempt to show this feature in the context of a business method. As a result, claim 15 is also allowable for the same reasons stated above and for the lack of a prima facie case directed to the content of these claims. Applicants respectfully request reconsideration of the Examiner's rejection of claim 15 under 35 U.S.C. §103(a).

Claims 16 and 17

Each of claims 16 and 17 depend on claim 15, which is allowable for the reasons given above. As a result, claims 16 and 17 are also allowable as depending on an allowable independent claim. Applicants respectfully request reconsideration of the Examiner's rejection of claims 16 and 17 under 35 U.S.C. §103(a).

Claims 18 and 24

Each of independent claims 18 and 24 have a similar limitation as described above with reference to claim 1, which is allowable for the reasons given above. As a result, claims 18 and 24 are also allowable for the same reasons stated above. Applicants respectfully request reconsideration of the Examiner's rejection of claims 18 and 24 under 35 U.S.C. §103(a).

Claims 19-23 and 25-29

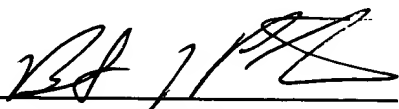
Each of claims 19-23 and 25-29 depend on claims 18 and 24 respectively, which are allowable for the reasons given above. As a result, claims 19-23 and 25-29 are also allowable as depending on an allowable independent claim. Applicants respectfully request reconsideration of the Examiner's rejection of claims 19-23 and 25-29 under 35 U.S.C. §103(a).

Conclusion

In summary, none of the cited prior art, either alone or in combination, teach, support, or suggest the unique combination of features in applicants' claims presently on file. Therefore, applicants respectfully assert that all of applicants' claims are allowable. Such allowance at an early date is respectfully requested. The Examiner is invited to telephone the undersigned if this would in any way advance the prosecution of this case.

Respectfully submitted,

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